

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
	:	
MICHAEL COPPERTNO	:	Chapter 13
a/k/a MICHEAL COPPERTINO	:	
	:	
Debtor.	:	Case No.: 23-12128-MDC
KRISTY BAHAN	:	
	:	
	:	
Movant,	:	
v.	:	
	:	11 U.S.C. § 362
MICHAEL COPPERTNO	:	
a/k/a MICHAEL COPPERTINO	:	<b>Hearing Date: August 29, 2023</b>
	:	<b>10:30 a.m. (Prevailing Eastern Time)</b>
Respondent.	:	

**MOTION FOR RELIEF FROM STAY PURSUANT TO 11 U.S.C. § 362**  
**TO PROCEED WITH EVICTION PROCEEDINGS**

KRISTY BAHAN (the “Movant”), by and through their undersigned counsel, hereby submits this Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362 to Proceed with Eviction Proceedings, and in support thereof respectfully states the following:

1. This Court has jurisdiction over this matter pursuant to 11 U.S.C. § 157 and § 1334, as well as 11 U.S.C. § 362.
2. On or about July 19, 2023, the above-captioned debtor (the “Debtor”) filed a voluntary petition for relief under chapter 13 of the bankruptcy code (the “Chapter 13 Case”).
3. The Debtor lists his name on the bankruptcy petition as “Michael Cuppertno;” however, is also known as “Michael Coppertino.”
4. The Debtor lists his address as 2857 Sydenham St., Philadelphia, PA 19145.
5. The Movant is Kristy Bahan, an individual, with an address of 75 Watkins Ave., Staten Island, NY 10312.

6. On or about March 3, 2023, the Debtor entered into a Residential Lease Agreement (the “Lease”) with the Movant for the purpose of renting the Movant’s property located at 3527 Peak Drive, Tobyhanna, PA 18466. See Exhibit “A,” a true and correct copy of the Lease attached hereto and incorporated herein as if set forth in full.

7. The filing of the Chapter 13 Case stayed the Movant’s eviction proceedings against the Debtor in the Magisterial District Court of Tobyhanna, Monroe County. Case No. MJ-43301-LT-0000086-2023. See Exhibit “B.”

8. The Debtor has failed to make timely post-petition rent payments to the Movant.

9. Upon information and belief, the Debtor filed the instant Chapter 13 Case in bad faith, for the sole purpose to unjustly hinder, delay, and ultimately, defraud the Movant.

10. On December 1, 2021, the Debtor filed a chapter 13 bankruptcy case in the Eastern District of Pennsylvania under the name Michael Anthony Coppertino, with an address of 2859 S. Sydenham Street, Philadelphia, PA 19145. See Exhibit “C.”

11. The Debtor has also filed four (4) chapter 13 bankruptcy cases in the United States Bankruptcy Court for the District of New Jersey, Case Nos. 18-20415, 18-27360, 22-14918, and 23-10381.

12. The Debtor’s most recent chapter 13 bankruptcy case filed in the District of New Jersey on January 17, 2023, was dismissed, with the court issuing a two-year bar on future filing. See Exhibit “D.”

13. Pursuant to 11 U.S.C. § 362(d)(1), “on request of a party in interest and after notice and a hearing, the court shall grant relief from the stay...for cause, including lack of adequate protection of an interest in property of such party in interest.”

14. The Movant is entitled to relief from the automatic stay for sufficient cause, including without limitation, the lack of adequate protection due to the Debtor's failure to make timely pre-petition and post-petition rent payments.

15. Movant is additionally requesting the Court enter an Order barring the Debtor from future filings for a period of at least two (2) years to prevent future abuses of the bankruptcy process.

WHEREFORE, the Movant respectfully requests this Honorable Court enter an Order (a) granting Movant relief from the automatic stay to permit Movant to proceed with eviction proceedings against the Debtor; and (b) barring the Debtor from future bankruptcy filings for a period of at least two years without further leave of the Court.

Respectfully submitted,

Dated: August 3, 2023

/s/ Brad J. Sadek

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